peal Articles 1853 and 1857 of the Revised Civil Statutes of Texas, 1911, prescribing the form, contents and requisites of writs of citation, and the manner in which defendants shall be served with such citation process; prescribing the manner and grounds upon which a citation may be quashed, and repealing all laws or parts of laws in conflict with this act."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Blackburn, Mr. Fisher and Mr. Martin:

H. B. No. 222, A bill to be entitled "An Act to amend Article 4621, Chapter 32 of the General Laws of the Thirtythird Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend Articles 4621, 4622, 4624, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, concerning the marital rights of parties, defining separate and community property of the husband and wife, conferring upon the wife the power to make contracts, authorizing suits on such contracts, giving the wife control over her separate property, placing limitations upon such control, giving her control over the rents from her separate real estate, interest on bonds and notes and dividends on stock owned by her, and over her personal earnings, exempting the same from debts contracted by her husband, providing that the joinder of the husband shall be necessary to a conveyance or encumbrance of the wife's lands, bonds, stock, except that upon the order of the district court she may convey the same without joinder of the husband, repealing Article 4625, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, and all other laws and parts of laws in conflict herewith, and declaring an emergency,' by provid-ing that when the husband shall have permanently abandoned the wife, or shall be insane, she may, upon order of the district court, encumber, transfer or convey her separate real estate, bonds and stocks, without the joinder, of her husband in such encumbrance, transfer or conveyance, and by providing that in such instances, upon order of the district court, she may transfer and convey her separate real estate, without the joinder of her husband in such transfer or conveyance, whether such separate real state be occupied and claimed by her as a homestead or otherwise, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Baker:

H. B. No. 223, A bill to be entitled "An Act to amend Article 923f of the Penal Code of this State, as enacted by Chapter 135 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, so as to exempt therefrom the counties of Hood and Somervell, as to the waters of the Brazos river, but no further, and declaring an emergency."

Referred to Committee on Game and

By Mr. O'Banion:

H. B. No. 224, A bill to be entitled "An Act to amend Article 3356, Chapter 2, Title 52, Revised Civil Statutes of the State of Texas, 1911, relating to the estate of decedents."

Referred to Committee on Reforms in Civil Procedure.

Pending rending of the bills, Mr. Tillotson and Mr. Woods occupied the chair temporarily.

APPOINTMENT ANNOUNCED.

The Speaker announced the appointment of Frank Romines as page.

(Mr. Burton of Tarrant in the chair.)

ADJOURNMENT.

On motion of Mr. Woods, the House, at 3:05 o'clock p. m., adjourned until 9:30 o'clock a. m. next Monday.

SIXTH DAY.

(Monday, January 15, 1917.)

The House met at 9:30 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called, and the following members were present:

Bagby.
Baker.
Beard of Harris.
Beasley.
Bell.
Bertram.
Blackburn.
Blackmon.
Blalock.
Bland.
Bledsoe.
Boner.

Brown.

Bryan.
Bryant.
Burton of Rusk.
Burton of Tarrant.
Butler.
Cadenhead.
Canales.
Carlock.
Clark.
Cope.
Cox.
Crudgington.
Davis of Dallas.

Davis of Grimes. Parks. Peddy. Davis of Van Zandt. Peyton. De Bogory. Pillow. Denton. Poage. Raiden. Dodd. Dudley. Reeves. Richards. Dunnam. Robertson. Estes. Fairchild. Roemer. Rogers. Fisher. Fitzpatrick. Russell. Florer. Sackett. Sallas. Fly. Greenwood. Sentell. Haidusek. Schlesinger. Seawright. Harris. Hartman. Sholars. Smith of Bastrop. Hawkins. Hill. Smith of Hopkins. Holland. Smith of Scurry. Spencer of Nolan. Hudspeth. Spencer of Wise. Johnson. Spradley. Jones. Laas. Stewart. Strayhorn. Lacey. Swope. Laney. Lange. Taylor. Lanier. Templeton. Terrell. Lee. Lindemann. Thomas. Thomason Low of Washington. McComb. of El Paso. Thomason McCov. of Nacogdoches. Thompson McDowra. McFarland. of Hunt. Thompson McMillin. of Red River. Martin. Tillotson. Meador. Mendell. Tilson. Tinner. Metcalfe. Miller of Austin. Trayler. Upchurch. Miller of Dallas. Valentine. Monday. Veatch. Moore. Wahrmund. Morris. Murrell. Walker. White. Neeley. Neill. Williams Nichols. of Brazoria. Williford. Nordhaus. Wilson. O'Banion. O'Brien. Woods. Woodul. Osborne. Absent.

Cates.

Williams of McLennan.

Absent-Excused.

Beard of Milam. Pope.
Beason. Schlosshan.
Bedell. Scholl.
Hardey. Tschoepe.

of McMullen.

A quorum was announced present. Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Schlosshan, for today and tomorrow, on motion of Mr. Thomason of Nacogdoches.

Mr. Beard of Milam, for today, on motion of Mr. Burton of Rusk.

Mr. Bedell, for today, on motion of Mr. Terrell.

Mr. Pope, for today and tomorrow, on motion of Mr. Pillow.

Mr. Cates, for today, on motion of Mr. Mendell.

Mr. Hardey was granted leave of absence for today, on account of sickness, on motion of Mr. McFarland.

OATH OF OFFICE ADMINISTERED.

Mr. Davis of Van Zandt moved that Hon. R. E. Yantis of Henderson county, Representative-elect of the Twentyeighth Representative District, be escorted to the Speaker's stand, for the purpose of having the oath of office administered to him.

The motion prevailed.

In accordance with the above action, the Speaker lappointed Mr. Davis of Van Zandt and Mr. Hudspeth to escort Mr. Yantis to the Speaker's stand.

The committee having performed their duty, Mr. Yantis then took the oath of office, which was administered to him' by the Speaker.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Boner and Mr. Spencer of Wise:

H. B. No. 225, A bill to be entitled "An Act to provide for the payment of costs in criminal cases of the grade of felony, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Reforms in Criminal Procedure.

By Mr. Fly:

H. B. No. 226, A bill to be entitled "An Act for the purpose of promoting

and improving the development of the country schools of the State by the appropriation of one million dollars each year, or such part thereof as may be necessary, for the next two fiscal years ending August 31, 1918, and 1919, respectively, by allowing the State Board of Education to aid any one school in any sum not exceeding five hundred dollars in any one year, and providing that schools receiving such aid be located and constructed in a certain way and having certain and necessary equipment, and providing for the employment of competent teachers; and said act further providing that no school having over three hundred scholastics shall receive such aid, and providing that schools receiving such aid shall have had certain percentage of attendance with exceptions, and providing said schools shall levy a local school tax of not less than fifty cents on the one hundred dollars valuation, and providing course of study for such country schools, and setting aside fifty thousand dollars of the appropriation annually for the relief of backward districts and giving the State Board of Education power to establish rules and regulations for the organization of such country schools and otherwise carrying out the intentions of this act, and defining the powers of the State Board of Education, and providing for assistants to the State Superintendent to be known as rural school supervisors, and providing for reports to, be made to the State Board of Education, and providing for the manner of payment and disbursement of all money granted under the provisions of this act, and providing said schools can accept the benefits of this act without waiving the benefits and privileges of other laws, and providing certain funds for the payment of rural school supervisors and their traveling expenses, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Cope (by request):

H. B. No. 227, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being known and published as an act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature relating to exemptions as the 'Anti-Pass Law,' so as to in- | gency." 7. 1

clude among said exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work and all city fire marshals while traveling to and from their State and district conventions."

Referred to Committee on Common Carriers.

By Mr. Clark, Mr. Harris, Mr. Cox, Mr. Beard of Milam, Mr. Jones, Mr. Thompson of Red River, Mr. Terrell, Mr. Rogers, Mr. Neeley and Mr. Beard of Harris:

H. B. No. 228, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same, and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties, and provide for the sal-aries of the members of said faculty." Referred to Committee on Education.

By Mr. Neill:

H. B. No. 229, A bill to be entitled "An Act to repeal Chapter 5 of the General Laws of the State of Texas, known as the Permanent Warehouse Law,' enacted at the Third Called Session of the Thirty-third Legislature."

Referred to Committee on Agricul-

By Mr. Neill and Mr. Cadenhead:

H. B. No. 230, A bill to be entitled "An Act to validate Common County Line School District No. 14, lying in Comanche and Eastland counties, under the control of Comanche county, and to validate the consolidation of what was heretofore Common School District No. 14 of Comanche county with Common County Line School District No. 67,lying in Comanche and Eastland counties, and declaring an emergency."

Referred to Committee on Education.

By Mr. Trayler:

H. B. No. 231, A bill to be entitled "An Act to amend Article 900, Title 10, of the Code of Criminal Procedure of the State of Texas of 1911, so as to make bail bonds good in all criminal cases until verdict for judgment and until the defendant is taken in custody from the operation of what is known by the sheriff, and declaring an emerThomason Valentine. of El Paso. Veatch. Thomason Wahrmund. of Nacogdoches. Walker. Thompson White. Williams of Hunt., Thompson of Brazoria. Williford. of Red River. Tillotson. Wilson. Tilson. Woods. Tinner. Woodul. Trayler. Yantis. Upchurch.

Absent.

Cates.

Williams of McLennan.

Absent-Excused.

Beard of Milam. Pope. Schlosshan. Beason. Bedell. Scholl. Hardey. Tschoepe. Lowe

of McMullen.

The President Pro Tempore of the Senate and the Speaker of the House then stated that the two houses were in joint session for the purpose of counting the votes for Governor and Lieutenant Governor, cast at the last general election.

The President Pro Tempore of the Senate announced the appointment of the following tellers on the part of the Senate:

Senators Woodward, Bailey and Gibson.

The Speaker of the House announced the appointment of the following tellers on the part of the House:

Messrs. Woods, Clark, Canales, Neill and Miller of Dallas.

The joint tellers were announced present, and they at once came forward and occupied the seats at a table al-

ready prepared for them.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election of Governor and Lieutenant Governor, which returns had been duly delivered by the Secretary of State to the Speaker of the House of Representatives of the Thirty-fifth Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant Governor at

the last general election.

(Mr. Fly in the chair on the part of the House.)

On motion of Senator Caldwell, on the part of the Senate, and Mr. Parks, to your committee:

on the part of the House, the joint session, at 11 o'clock a. m., agreed to stand at ease until 2 o'clock p. m. teday.

At 2 o'clock p. m., the joint session was called to order on the part of the Senate by Hon. J. M. Henderson, President Pro Tempore of the Senate, and on the part of the House by Hon. 'F. O. Fuller, Speaker of the House.

(Pending the count, Mr. Clark occupied the chair temporarily on the partof the House.)

When the count was completed, the President Pro Tempore of the Senate and the Speaker of the House announced to the joint session that the joint tellers had completed the count of the votes, and that the joint session is now ready to receive the result, and to have the report of the joint tellers.

Senator Bailey, on the part of the Senate, and Mr. Woods, on the part of the House, submitted the following report:

Austin, Texas, January 15, 1917.

Hon. W. P. Hobby, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your joint committee and tellers appointed to canvass the votes cast at the last general election held in Texas on November 7, 1916, for Governor and Lieutenant Governor of the State of Texas, beg leave to report that we have performed that duty, and the result of our canvass is as follows:

There were cast for Governor:

For James E. Ferguson, 296,667 votes. For R. B. Creager, 49,118 votes.

For H. W. Lewis, 3200 votes.

For E. H. Meitzen, 14,580 votes.

Scattering, 17 votes.

Total number of votes case for Governor, 363,582.

There were cast for Lieutenant Gov-

For W. P. Hobby, 320,441 votes. For Jerry L. Hickson, 48,249 votes. For J. A. Richardson, 1735 votes.

For Nat B. Hunt, 14,978 votes.

Scattering, 2 votes.

Total votes cast for Lieutenant Governor, 385,405.

There were no returns sent to the Secretary of State from the following named counties and none were submitted Bailey, Cochran, Crane, Hockley, Lov-

ing, Mills.

And, therefore, said counties are not included in this report nor considered in the tabulation of the votes cast.

All of which is respectfully submitted.

> WOODS, CLARK, NEILL, CANALES, MILLER of Dallas, On the part of the House. BAILEY, WOODWARD, GIBSON,

> On the part of the Senate.

Whereupon, Hon. F. O. Fuller, Speaker of the House of Representatives, and Hon. J. M. Henderson, President Pro Tempore of the Senate, each made the

following announcement:

"Hon. James E. Ferguson, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Governor of years; and Hon. W. P. Hobby, having journed until 11 o'clock a. m. tomorrow.

received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Lieutenant Governor of the State of Texas for the ensuing term of two years."

The Speaker of the House then announced that the business of the joint session was concluded, and delivered the election returns used in counting the vote into the hands of Chief Clerk Bob Barker, taking his receipt therefor and directing him to deliver the same in person to the Secretary of State, and to take the receipt of the Secretary of State for

the documents.

SENATE RETIRES.

On motion of Senator Bailey, the Senate, at 2:45 o'clock p. m., retired to its Chamber.

ADJOURNMENT.

Mr. Woods moved that the House adjourn until 11 o'clock a. m. tomorrow.

The motion prevailed, and the House, the State for the ensuing term of two accordingly, at 2:45 o'clock p. m., ad-

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 7, 1916. ' For Governor and Lieutenant Governor.

	Governor.				Lieutenant Governor.			
Counties.	Jas. E. Ferguson, Democratic.	R. B. Creager, Republican.	II. W. Lewis, Prohibition.	E. R. Meitzen, Socialist.	W. P. Hobby, Democratic.	J. L. Hickson, Republican.	J. A. Richardson, Prohibition.	Nat. B. Hunt, Socialist.
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RETURNS OF A GENERAL ELECTION HELD NOVEMBER 7, 1916.

For Governor and Lieutenant Governor.

	Governor.			Lieutenant Governor.				
Counties.	Jas. E. Ferguson, Democratic.	R. B. Creager, Republican.	H. W. Lewis, Prohibition.	E. R. Meitzen, Socialist.	W. P. Hobby, Democratic.	J. L. Hickson, "Republican.	J. A. Richardson, Prohibition.	Nat. B. Hunt, Socialist.
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RETURNS OF A GENERAL ELECTION HELD NOVEMBER 7, 1916.

For Governor and Lieutenant Governor.

Counties.		Gove	rnor.		Lieutenant Governor.			
	Jas. E. Ferguson, Democratic.	Republican.	II. W. Lewis, Prohibition.	E. R. Meitzen, Socialist.	W. P. Hobby, Democratic.	J. L. Hickson, Republican.	J. A. Richardson, Prohibition.	Nat. B. Hunt, Socialist.
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RETURNS OF A GENERAL ELECTION HELD NOVEMBER 7, 1916.

For Governor and Lieutenant Governor.

	J 3	Gove	rnor.	4	Lieutenant Governor.			
Counties.	Jas. E. Ferguson, Democratic.	R. B. Creager, Republican.	H. W. Lewis, Prohibition.	E. R. Meitzen, Socialist.	W. P. Hobby, Democratic.	J. L. Hickson, Republican.	J. A. Richardson, Prohibition.	Nat. B. Hunt, Socialist.
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